UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,699	01/14/2000	Scott A. Deyoe	DP-302096	8714

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Jimmy L. Funke
Delphi Delco Legal Staff
Mail Code A107
P.O. Box 9005
Kokomo, IN   46904

EXAMINER
ARMSTRONG, ANGELA A

ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 08/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _12 May 2003_ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-8,10-23,25-40 and 42-48_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-5,8,10-20,23,25-37,40 and 42-48_ is/are rejected.

7) ☒ Claim(s) _6,7,21,22,38 and 39_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

Response to Amendment

Applicant's request for reconsideration of the finality of the rejection of the last Office

action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-5, 8-14, 16-20 and 23-31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Surace et al (US Patent No. 6,144,938) in view of Polikaitis et al (US Patent

No. 6,336,091), and further in view of Nguyen (US Patent No. 5,765,130).

3.   Regarding claims 1-5, 8-14, 16-20 and 23-31, Surace et al teach

memory for storing information at col. 3, lines 41-42

a processor coupled to the memory at Figure 1, element 105; col. 3, line 42

receiving voice input from the user via microphone at col. 3, lines 55-58

providing voice feedback to the user via speaker at col. 3, lines 55-58

detecting whether the user has provided voice input at col. 7, lines 49-51

determining whether a voice input is associated with a specific user at col. 22, lines 52-54

determining whether the voice input provided by the user is recognized by the speech

recognition system at col. 23, lines 34-43

performing a speech selectable task when the voice input provided by the user is

recognized by the speech recognition system at col. 23, lines 43-45; col. 24, lines 1-5

tracking the users interaction with system at col. 14, lines 52-57

voice feedback provided to the user is level dependent and provides available commands

for a current level at the Abstract and col. 10, lines 21 continuing to col. 11, line 25

Surace et al do not specifically teach providing adaptive voice feedback to the user when

the user has not provided a voice input for a predetermined user specific time period. Refer to

Polikaitis et al who discloses a system for screening speech recognition input which implements

' alerting or providing feedback to the user if the voice input provided by the user during a

recognition window contains errors (col. 2, lines 46-48), such as a user not saying anything

during the recognition window (col. 1, lines 44-51)

an adjustable recognition window (col. 9, lines 35-52)

deactivating the speech recognition system when the voice input from the user is not recognized

by the speech recognition system (col. 2, lines 48-50)

activating the speech recognition system (col. 5, lines 48-50)

activating the speech recognition system via a switch (col. 5, lines 51-52)

activating the speech recognition system via voice (col. 5, lines 51-53)

Polikaitis et al teach that the system is advantageous for providing feedback instructing a

user how to improve the speech input for optimizing the speech recognition system.

Therefore, it would have been obvious to one of ordinary skill at the time of the invention

to modify the speech recognition user interface of Surace et al to implement providing voice

feedback to the user when the user has not provided a voice input during a recognition window

and deactivating the speech recognition system when the voice input from the user is not

recognized by the speech recognition system as taught by Polikaitis et al, for the purpose of

providing feedback instructing a user how to improve the speech input for optimizing the speech

recognition system, as suggested by Polikaitis et al.

Surace and Polikaitis do not teach a user specific time period. Refer to Nguyen who

teaches a method and apparatus for facilitating speech barge-in in connection with voice

recognition systems. Specifically, Nguyen teaches implementing barge-in capabilities in a

voice-response system such that frequent users of a system would not need to wait for a

completed prompt for the system before being allowed to respond.

Therefore, it would have been obvious to one of ordinary skill at the time of the invention

to implement a user specific response time period as suggested by Nguyen, in the voice user

interface system of Surace, for the purpose of allowing experienced users the capabilities of

entering requests or information without waiting for a complete set of instructions.

4.   Claims 15, 32-37, and 40-48 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Surace et al (US Patent No. 6,144,938) in view of Polikaitis et al (US Patent No. 6,336,091)

and Nguyen (US Patent No. 5,765,130) and further in view of Everhart et al (US Patent No.

6,240,347).

5.   Regarding claims 15, 32-37, and 40-48 Surace et al teach

        memory for storing information at col. 3, lines 41-42

        a processor coupled to the memory at Figure 1, element 105; col. 3, line 42

receiving voice input from the user via microphone at col. 3, lines 55-58

providing voice feedback to the user via speaker at col. 3, lines 55-58

detecting whether the user has provided voice input at col. 7, lines 49-51

determining whether a voice input is associated with a specific user at col. 22, lines 52-54

determining whether the voice input provided by the user is recognized by the speech

recognition system at col. 23, lines 34-43

performing a speech selectable task when the voice input provided by the user is

recognized by the speech recognition system at col. 23, lines 43-45; col. 24, lines 1-5

tracking the users interaction with system at col. 14, lines 52-57

voice feedback provided to the user is level dependent at col. 10, lines 21-46

Surace et al do not specifically teach providing adaptive voice feedback to the user when

the user has not provided a voice input for a predetermined user specific time period. Refer to

Polikaitis et al who discloses a system for screening speech recognition input which implements

alerting or providing feedback to the user if the voice input provided by the user during a

recognition window contains errors (col. 2, lines 46-48), such as a user not saying anything

during the recognition window (col. 1, lines 44-51)

a user specified or manufacturer specified recognition window (col. 9, lines 35-52)

᛫ deactivating the speech recognition system when the voice input from the user is not

recognized by the speech recognition system (col. 2, lines 48-50)

activating the speech recognition system (col. 5, lines 48-50)

activating the speech recognition system via a switch (col. 5, lines 51-52)

activating the speech recognition system via voice (col. 5, lines 51-53)

Polikaitis et al teach that the system is advantageous for providing feedback instructing a

user how to improve the speech input for optimizing the speech recognition system.

Therefore, it would have been obvious to one of ordinary skill at the time of the invention

to modify the speech recognition user interface of Surace et al to implement providing voice

feedback to the user when the user has not provided a voice input during a recognition window

and deactivating the speech recognition system when the voice input from the user is not

recognized by the speech recognition system as taught by Polikaitis et al, for the purpose of

providing feedback instructing a user how to improve the speech input for optimizing the speech

recognition system, as suggested by Polikaitis et al.

Surace and Polikaitis do not teach a user specific time period. Refer to Nguyen who

teaches a method and apparatus for facilitating speech barge-in in connection with voice

recognition systems. Specifically, Nguyen teaches implementing barge-in capabilities in a

voice-response system such that frequent users of a system would not need to wait for a

completed prompt for the system before being allowed to respond.

Therefore, it would have been obvious to one of ordinary skill at the time of the invention

to implement a user specific response time period as suggested by Nguyen, in the voice user

interface system of Surace, for the purpose of allowing experienced users the capabilities of

entering requests or information without waiting for a complete set of instructions

Surace do not specifically teach that the speech selectable task is performed by a motor

vehicle accessory. Refer to Everhart et al who teach a user interface for a voice control system

for controlling a plurality of adjustable parameters of vehicle accessories (abstract). Everhart

teaches that voice control systems are advantageous because it allows a driver to take advantage

of the accessories of the vehicle without interfering with the task of driving (col. 1, lines 11-25).

Therefore, it would have been obvious to one of ordinary skill at the time of the invention

to modify the system of Surace and Polikaitis et al to allow for implementation of the speech

recognition user interface in a motor vehicle accessory system, as taught by Everhart et al, so as

to provide feedback instructing a user how to improve the speech input for optimizing the speech

recognition system, as taught by Polikaitis et al, thus ensuring that the user is able to take

advantage of the accessories of the vehicle without interfering with the task of driving, as

suggested by Everhart et al.

Allowable Subject Matter

6.   Claims 6-7, 21-22, and 38-39 are objected to as being dependent upon a rejected base

claim, but would be allowable over the cited prior art if rewritten in independent form including

all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 703-308-6258. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

Angela A. Armstrong
Examiner
Art Unit 2654

AAA
July 28, 2003

VIJAY CHAWAN
PRIMARY EXAMINER